

NEWS RELEASE



***OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California***

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For Immediate Release

NEWS RELEASE SUMMARY - March 23, 2006

United States Attorney Carol C. Lam announced the arraignment today of two defendants involved in separate alien smuggling incidents resulting in the deaths of two of the smuggled aliens. In the first case, Marco Antonio Olguin and Carlos Rodriguez-Gonzalez appeared before United States Magistrate Judge Ruben B. Brooks on an indictment charging them with thirteen counts of bringing in aliens resulting in death, thirteen counts of transporting aliens resulting in death, and thirteen counts of bringing in illegal aliens for financial gain. Carlos Rodriguez-Gonzalez was also charged with one count of being a previously deported alien found in the United States. Both defendants pled not guilty and will appear before Judge William Q. Hayes on May 8, 2006, at 2:00 p.m. for a motion setting/trial setting hearing.

According to Assistant U.S. Attorney Christopher Ott, who is prosecuting the case, the charges in the indictment arise from the criminal actions of Marco Antonio Olguin and Carlos Rodriguez-Gonzalez in allegedly bringing in and transporting seventeen undocumented aliens on March 8, 2006. According to court documents, on that date Carlos Rodriguez-Gonzalez led the group of aliens on foot from the United

States/Mexico international boundary to meet a van driven by Marco Antonio Olguin near Jamul, California. At approximately 4:20 a.m. the van, fully laden with aliens, lost control and overturned at the intersection of Honey Springs Road and State Route 94. To date, two of the smuggled aliens have died of their injuries. The indictment alleges that the manner in which the undocumented aliens were being brought in and transported resulted in death.

In the second case, defendant Gabina Bello-Juarez appeared before Magistrate Judge Brooks and entered a plea of not guilty to an indictment charging him with one count of bringing in an alien resulting in death, one count of transporting an alien resulting in death, five counts of bringing in illegal aliens for financial gain, five counts of bringing in aliens without presentation, and one count of transporting aliens. According to court documents, on March 11, 2006, at approximately 8:31 a.m. the California Highway Patrol, the Border Patrol Search, Trauma, and Rescue Team, as well as the Pine Valley Fire Department, responded to a call of five men suffering from hypothermia in a rural, mountainous area of Pine Valley, California. Despite the life saving efforts of the responders, one of these aliens died perished from exposure. Gabino will next appear before Judge Marilyn L. Huff on May 1, 2006, at 2:00 p.m. for a motion setting/trial setting hearing.

DEFENDANT

Case Number: 06CR0611WQH

MARCO ANTONIO OLGUIN

SUMMARY OF CHARGES

Counts 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31, 34 and 37:

Bringing In Illegal Aliens Resulting in Death and Aiding and Abetting

8 U.S.C. §§ 1324(a)(1)(A)(i), (v)(II) and (a)(1)(B)(iv) and 18 U.S.C. § 2.

Maximum penalty: Death or life imprisonment. At least five years but no more than fifteen years imprisonment, \$250,000 fine

Counts 2, 5, 8, 11, 14, 17, 20, 23, 26, 29, 32, 35 and 38:

Transporting Illegal Aliens resulting in Death and Aiding and Abetting

8 U.S.C. §§ 1324(a)(1)(A)(ii), (v)(II) and (a)(1)(B)(iv) and 18 U.S.C. § 2.

Maximum penalty: Death or life imprisonment. At least five years but no more than fifteen years' imprisonment, \$250,000 fine

Counts 3, 6, 9, 12, 15, 18, 21, 24, 27, 30, 33, 36 and 39:

Bringing In Illegal Aliens for Financial Gain

8 U.S.C. § 1324(a)(2)(B)(ii)

Maximum penalty: At least five years but no more than fifteen years' imprisonment, \$250,000 fine

DEFENDANT

Case Number 06CR0611WQH

CARLOS RODRIGUEZ-GONZALEZ

SUMMARY OF CHARGES

Counts 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31, 34 and 37:

Bringing In Illegal Aliens Resulting in Death and Aiding and Abetting

8 U.S.C. §§ 1324(a)(1)(A)(i), (v)(II) and (a)(1)(B)(iv) and 18 U.S.C. § 2.

Maximum penalty: Death or life imprisonment. At least five years but no more than fifteen years' imprisonment, \$250,000 fine

Counts 2, 5, 8, 11, 14, 17, 20, 23, 26, 29, 32, 35 and 38:

Transporting Illegal Aliens resulting in Death and Aiding and Abetting

8 U.S.C. §§ 1324(a)(1)(A)(ii), (v)(II) and (a)(1)(B)(iv) and 18 U.S.C. § 2.

Maximum penalty: Death or life imprisonment. At least five years but no more than fifteen years' imprisonment, \$250,000 fine

Counts 3, 6, 9, 12, 15, 18, 21, 24, 27, 30, 33, 36 and 39:

Bringing In Illegal Aliens for Financial Gain

8 U.S.C. § 1324(a)(2)(B)(ii)

Maximum penalty: At least five years but no more than fifteen years' imprisonment, \$250,000 fine

Count 40:

Previously Deported Alien Found in The United States

8 U.S.C. § 1326

Maximum penalty: 20 years' imprisonment, \$250,000 fine

DEFENDANT

Case Number: 06CR0596H

GABINO BELLO-JUAREZ

SUMMARY OF CHARGES

Count 11:

Bringing In An Illegal Alien Resulting in Death and Aiding and Abetting

8 U.S.C. §§ 1324(a)(1)(A)(i), (v)(II) and (a)(1)(B)(iv) and 18 U.S.C. § 2.

Maximum penalty: Death or life imprisonment. At least five years but no more than fifteen years' imprisonment, \$250,000 fine

Counts 13:

Transporting An Illegal Alien resulting in Death and Aiding and Abetting
8 U.S.C. §§ 1324(a)(1)(A)(ii), (v)(II) and (a)(1)(B)(iv) and 18 U.S.C. § 2.
Maximum penalty: Death or life imprisonment. At least five years but no more than fifteen years imprisonment, \$250,000 fine

Counts 1, 3, 5, 7, 9:

Bringing In Illegal Aliens for Financial Gain
8 U.S.C. § 1324(a)(2)(B)(ii)
Maximum penalty: At least five years but no more than fifteen years' imprisonment, \$250,000 fine

Counts 2, 4, 6, 8, 10:

Bringing In Illegal Aliens Without Presentation
8 U.S.C. § 1324(a)(1)(A)(i)
Maximum penalty: Ten years' imprisonment, \$250,000 fine

Count 12:

Transporting an Illegal Alien
18 U.S.C. § 1324(a)(1)(A)(ii)
Maximum penalty: Five years' imprisonment, \$250,000 fine

AGENCY

United States Border Patrol

An indictment is not evidence that the defendants committed the crimes charged. The defendants are presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.